

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

**CONSERVATION NORTHWEST, ET
AL.**

Plaintiffs,
vs.

MARK E. REY, ET AL.

Defendants,
and

D.R. JOHNSON LUMBER COMPANY

Defendant-Intervenor.

C08-1067-JCC

**Parties' Stipulation and Order Re:
Supplemental Documents to
Administrative Record and Briefing
Schedule**

Plaintiffs Conservation Northwest et al., Defendants Mark E. Rey et al., and Defendant-Intervenor D.R. Johnson Lumber Company hereby stipulate to and respectfully request that the Court enter an order that modifies its Order of February 18, 2009 (Dkt. No. 28) and establishes a revised schedule for the lodging of supplemental documents to the administrative record and the briefing of dispositive motions in this case. The parties respectfully request that the Court set the following revised schedule:

STIP. AND ORDER RE: SUPP. DOCS. TO
ADMIN. RECORD & BRIEFING SCHEDULE

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
Telephone: 206-553-7970

1 Defendants shall lodge and serve the supplemental documents to the administrative record
2 on or before May 13, 2009;

3 Plaintiffs shall file their motion for summary judgment, not to exceed 40 pages, by
4 June 5, 2009;

5 Defendants and Defendant-Intervenor shall file their cross-motions for summary
6 judgment, not to exceed 40 pages each, by July 17, 2009;

7 Plaintiffs shall file their response/reply brief, not to exceed 30 pages, by August 7, 2009;

8 Defendants and Defendant-Intervenor shall file their surreply briefs, not to exceed 20
9 pages each, by August 21, 2009.

10 Additionally, the parties respectfully request that the Court vacate the August 13, 2009
11 deadline for trial briefs and the August 17, 2009 trial date.

12 Respectfully submitted this 20th day of March, 2009

13 /s/ Peter M.K. Frost
14 Peter M.K. Frost, *pro hac vice*
15 Daniel M. Galpern, *pro hac vice*
16 Stephanie M. Parent, *pro hac vice*
Corrie Yackulic, WSB # 16063

17 ATTORNEYS FOR PLAINTIFFS

18 /s/ Brian Collins
19 Beverly F. Li (WSBA # 33267)
20 Brian M. Collins (TX #24038827)
21 Mark Arthur Brown
22 Jeffrey C. Sullivan
23 Brian Kipnis

24 ATTORNEYS FOR FEDERAL DEFENDANTS

25 /s/ Scott W. Horngren
26 Scott W. Horngren
27 Shay S. Scott, WSB # 23760

28 ATTORNEYS FOR DEFENDANT-INTERVENOR

29 STIP. AND ORDER RE: SUPP. DOCS. TO
30 ADMIN. RECORD & BRIEFING SCHEDULE

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1 **ORDER**

2 Pursuant to the stipulation of the parties, the Court hereby sets the following revised
3 schedule:

4 Defendants shall lodge and serve the supplemental documents to the administrative record
5 on or before May 13, 2009;

6 Plaintiffs shall file their motion for summary judgment, not to exceed 40 pages, by
7 June 5, 2009;

8 Defendants and Defendant-Intervenor shall file their cross-motions for summary
9 judgment, not to exceed 40 pages each, by July 17, 2009;

10 Plaintiffs shall file their response/reply brief, not to exceed 30 pages, by August 7, 2009;

11 Defendants and Defendant-Intervenor shall file their surreply briefs, not to exceed 20
12 pages each, by August 21, 2009.

13 The August 17, 2009 trial date is hereby continued until **January 25, 2010**. Trial briefs
14 shall be filed no later than **January 21, 2010**.

15 IT IS SO ORDERED.

16 DATED this 26th day of March, 2009

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

STIP. AND ORDER RE: SUPP. DOCS. TO
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